33.00
1660 30

MARSHA STILLER
CLERK OF CIRCUIT COURT
MARTIN CO., FL

RECORDED & VERIFIED
BY D.C.

~~After recording, return to:~~
Dillard Department Stores, Inc.
1600 Cantrell Road
Little Rock, Arkansas 72201
Attn: James W. Cherry, Jr.

01229559

97 APR 17 AM 11:27

DOC-DEED 11,660.30 MARSHA STILLER
DOC-MTG $ ______ MARTIN COUNTY
DOC-ASM $ ______ CLERK OF CIRCUIT COURT
INT TAX $ ______ BY ______ D.C.

SPECIAL WARRANTY DEED

This Special Warranty Deed made effective April 14, 1997 and executed on the 10th day of April, 1997 by Mervyn's, a California corporation, hereinafter referred to as "Grantor", whether one or more, for and in consideration of the sum of TEN DOLLARS ($10.00) cash, and other good and valuable consideration in hand paid by the Grantee, herein named, the receipt and sufficiency of which is hereby fully acknowledged and confessed, has GRANTED, SOLD and CONVEYED, and by these presents does hereby GRANT, SELL and CONVEY unto Dillard Department Stores, Inc., a Delaware corporation, herein referred to as "Grantee", whose tax mailing address is: 1600 Cantrell Road, Little Rock, Arkansas 72201, the real property described on attached Exhibit "A".

This conveyance, however, is made and accepted subject to the validly existing encumbrances, conditions and restrictions, relating to the hereinabove described property as now reflected by Exhibit B attached hereto.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said Grantee, Grantee's heirs, executors, administrators, successors and/or assigns forever; and Grantor does hereby bind Grantor's heirs, executors, administrators, successors and/or assigns to WARRANT AND FOREVER DEFEND all and singular the said premises unto the said Grantee, Grantee's heirs, executors, administrators, successors and/or assigns, against every person whomsoever claiming or to claim the same or any part thereof, by, through or under Grantor but not otherwise.

IN WITNESS WHEREOF, the said Grantor has caused these presents to be executed in its name and its corporate seal to be hereunto affixed, by its proper officers, thereunto duly organized the day and year first above written.

WITNESSES:

William P. Hise

Robert L. Nys

MERVYN'S

Michael J. Wahlig
Vice President
777 Nicollet Mall
Minneapolis, Minnesota 55402

Return to:
CHICAGO TITLE INSURANCE COMPANY
390 N. ORANGE AVE., SUITE 1300
ORLANDO, FLORIDA 32801

241

OR BK 1231 PG 1820

STATE OF MINNESOTA)
) ss.:
COUNTY OF HENNEPIN)

The foregoing instrument was acknowledged before me this 10th day of April, 1997 by Michael J. Wahlig, as Vice President of Mervyn's, on behalf of the corporation. He is personally known to me.

Rosalind M. Zavada
Notary Public, State of Minnesota

My Commission Expires:

ROSALIND M. ZAVADA
NOTARY PUBLIC - MINNESOTA
HENNEPIN COUNTY
My Commission Expires Jan. 31, 2000

Drafted by:
William P. Hise
Dayton Hudson Corporation
777 Nicollet Mall
Minneapolis, MN 55402

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Treasure Coast Square
Jensen Beach, FL

EXHIBIT "A"
LEGAL DESCRIPTION

Parcel 1:

Parcel "3" of Tract "A", Plat No. 1, a Plat of TREASURE COAST SQUARE, A P.U.D. (c), according to the Plat thereof recorded in Plat Book 10, page 100, Public Records of Martin County, Florida.

Parcel 2:

An ingress-egress easement for the benefit of Parcel 1 over the following described property:

Being a tract of land in Section 19, Township 37 South, Range 41 East, Martin County, Florida and described as follows:

Beginning at the Northwest corner of the Northeast quarter of Section 19, Township 37 South, Range 41 East; thence South 89 degrees 45 minutes 04 seconds East along the North line of said Section 19, a distance of 744.89 feet to a point on the Westerly right-of-way line of U.S. Highway No. 1; thence South 31 degrees 13 minutes 22 seconds East along said Westerly right-of-way line, a distance of 500.28 feet to a point; thence 78.54 feet on a curve to the left, having a radius of 50.00 feet and a central angle of 90 degrees 00 minutes 00 seconds to a point; thence South 58 degrees 46 minutes 38 seconds West, a distance of 398.86 feet to a point; thence South 31 degrees 13 minutes 22 seconds East, a distance of 115.00 feet to a point;
thence South 30 degrees 00 minutes 00 seconds East, a distance of 785.21 feet to the principal point and place of beginning.

Thence continuing South 30 degrees 00 minutes 00 seconds East, a distance of 100.00 feet to a point:
thence South 61 degrees 37 minutes 38 seconds West, a distance of 135.05 feet to a point;
thence South 48 degrees 59 minutes 20 seconds West, a distance of 40.78 feet to a point;
thence South 7 degrees 12 minutes 04 seconds West, a distance of 31.30 feet to a point;
thence South 45 degrees 52 minutes 53 seconds East, a distance of 460.00 feet to a point;
thence South 18 degrees 41 minutes 32 seconds East, a distance of 276.34 feet to a point;
thence South 63 degrees 41 minutes 32 seconds East, a distance of 35.35 feet to a point;
thence North 71 degrees 18 minutes 28 seconds East, a distance of 290.00 feet to a point;
thence South 18 degrees 41 minutes 32 seconds East, a distance of 90.00 feet to a point;
thence South 71 degrees 18 minutes 28 seconds West, a distance of 290.00 feet to a point;
thence South 26 degrees 18 minutes 28 seconds West, a distance of 35.35 feet to a point;
thence South 18 degrees 41 minutes 32 seconds East, a distance of 676.54 feet to a point;
thence South 15 degrees 52 minutes 24 seconds West, a distance of 125.00 feet to a point;
thence South 29 degrees 07 minutes 30 seconds East, a distance of 35.35 feet to a point;
thence South 74 degrees 07 minutes 36 seconds East, a distance of 30.00 feet to a point;
thence North 84 degrees 12 minutes 58 seconds East, a distance of 61.50 feet to a point;
thence North 71 degrees 18 minutes 28 seconds East, a distance of 294.87 feet to a point;
thence South 18 degrees 41 minutes 32 seconds East, a distance of 90.00 feet to a point;
thence South 71 degrees 18 minutes 28 seconds West, a distance of 377.87 feet to a point;
thence North 74 degrees 07 minutes 36 seconds West, a distance of 82.22 feet to a point:
thence South 60 degrees 52 minutes 22 seconds West, a distance of 35.35 feet to a point;
thence South 15 degrees 52 minutes 24 seconds West, a distance of 571.66 feet to a point;
thence South 50 degrees 15 minutes 12 seconds West, a distance of 214.49 feet to a point;
thence South 00 degrees 37 minutes 32 seconds West, a distance of 20.00 feet to a point;
thence North 89 degrees 22 minutes 28 seconds West, a distnace of 628.17 feet to a point;
thence North 33 degrees 48 minutes 48 seconds East, a distance of 3.94 feet to a point;

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EXHIBIT "A"
LEGAL DESCRIPTION
(Continued)

thence North 42 degrees 00 minutes 00 seconds West, a distance of 479.03 feet to a point; thence 268.40 feet along a curve to the right, having a radius of 485.00 feet and a central angle of 31 degrees 42 minutes 27 seconds to a point; thence North 10 degrees 17 minutes 33 seconds West, a distance of 103.96 feet to a point; thence 118.66 feet, along a curve to the left, having a radius of 277.50 feet and a central angle of 24 degrees 30 minutes 00 seconds to a point; thence 202.15 feet along a curve to the right, having a radius of 282.50 feet and a central angle of 41 degrees 00 minutes 00 seconds to a point; thence 327.51 feet along a curve to the left, having a radius of 347.50 feet and a central angle of 54 degrees 00 minutes 00 seconds to a point; thence 569.41 feet along a curve to the right, having a radius of 375.00 feet and central angle of 87 degrees 00 minutes 00 seconds to a point; thence 181.43 feet along a curve to the left, having a radius of 247.50 feet and a central angle of 42 degrees 00 minutes 00 seconds to a point;
thence North 01 degrees 53 minutes 22 seconds West a distance of 109.76 feet to a point;
thence North 16 degrees 12 minutes 27 seconds East, a distance of 87.14 feet to a point;
thence North 35 degrees 50 minutes 16 seconds East, a distance of 327.52 feet to a point;
thence North 71 degrees 18 minutes 28 seconds East, a distance of 281.11 feet to a point;
thence South 86 degrees 28 minutes 28 seconds East, a distance of 141.37 feet to a point;
thence South 64 degrees 15 minutes 34 seconds East, a distance of 315.63 feet to a point;
thence North 61 degrees 37 minutes 38 seconds East, a distance of 247.66 feet to a point;
thence North 15 degrees 48 minutes 52 seconds East, a distance of 27.88 feet to the principal point and place of beginning;

Save and except one parcel of land described as follows:

Being a tract of land in Section 19, Township 37 South, Range 41 East, Martin County, Florida and described as follows:

Beginning at the Northwest corner of the Northeast quarter of Section 19, Township 37 South, Range 41 East, thence South 89 degrees 45 minutes 04 seconds East along the North line of said Section 19, a distance of 744.89 feet to a point on the Westerly right-of-way line of U.S. Highway No. 1; thence South 31 degrees 13 minutes 22 seconds East along said existing Westerly right-of-way line, a distance of 836.46 feet to a point; thence continuing along said existing Westerly right-of-way line, 617.37 feet along a curve to the right, having a radius of 2,822.93 feet and a central angle of 12 degrees 31 minutes 50 seconds to a point; thence continuing along said existing Westerly right-of-way line, South 18 degrees 41 minutes 32 seconds East, a distance of 493.60 feet to a point;
thence South 13 degrees 55 minutes 43 seconds East, a distance of 180.62 feet to a point;
thence South 18 degrees 41 minutes 32 seconds East, a distance of 156.50 feet to a point;
thence South 26 degrees 18 minutes 28 seconds West, a distance of 49.50 feet to a point;
thence South 18 degrees 41 minutes 32 seconds East, a distance of 45.00 feet to a point;
thence South 71 degrees 18 minutes 28 seconds West, a distance of 369.00 feet to the principal point and place of beginning;

Thence South 18 degrees 41 minutes 32 seconds East, a distance of 618.97 feet to a point; thence 214.77 feet along a curve to the right, having a radius of 356.00 feet and a central angle of 34 degrees 33 minutes 56 seconds to a point;
thence South 15 degrees 52 minutes 24 seconds West, a distance of 607.53 feet to a point; thence South 74 degrees 07 minutes 37 seconds East, a distance of 9.00 feet to a point: thence 397.92 feet along a curve to the right, having a radius of 305.00 feet and a central angle of 74 degrees 45 minutes 08 seconds to a point; thence North 89 degrees 22 minutes 28 seconds West, a distance of 388.93 feet to a point; thence 124.03 feet along a curve to the right, having a radius of 150.00 feet and a central angle of 47 degrees 22 minutes 28 seconds to a point; thence North

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EXHIBIT "A"
LEGAL DESCRIPTION
(Continued)

42 degrees 00 minutes 00 seconds West, a distance of 399.40 feet to a point; thence 243.49 feet along a curve to the right, having a radius of 440.00 feet and a central angle of 31 degrees 42 minutes 27 seconds to a point; thence North 10 degrees 17 minutes 33 seconds West, a distance of 105.38 feet to a point; thence 137.90 feet along a curve to the left, having a radius of 322.50 feet and a central angle of 24 degrees 30 minutes 00 seconds to a point; thence 169.95 feet along a curve to the right, having a radius of 237.50 feet and a central angle of 41 degrees 00 minutes 00 seconds to a point; thence 369.92 feet along a curve to the left, having a radius of 392.50 feet and a central angle of 54 degrees 00 minutes 00 seconds to a point; thence 501.09 feet along a curve to the right, having a radius of 330.00 feet and a central angle of 87 degrees 00 minutes 00 seconds to a point; thence 200.58 feet along a curve to the left, having a radius of 320.46 feet and a central angle of 35 degrees 51 minutes 42 seconds to a point;
thence North 01 degrees 53 minutes 22 seconds West, a distance of 114.85 feet to a point;
thence North 16 degrees 12 minutes 27 seconds East, a distance of 65.62 feet to a point;
thence North 35 degrees 50 minutes 16 seconds East, a distance of 245.00 feet to a point;
thence North 47 degrees 58 minutes 05 seconds East, a distance of 89.49 feet to a point;
thence North 71 degrees 18 minutes 28 seconds East, a distance of 240.00 feet to a point;
thence South 78 degrees 03 minutes 43 seconds East, a distance of 158.84 feet to a point;
thence South 62 degrees 57 minutes 18 seconds East, a distance of 370.00 feet to a point;
thence South 45 degrees 52 minutes 53 seconds East, a distance of 165.00 feet to a point;
thence South 46 degrees 35 minutes 11 seconds East, a distance of 112.58 feet to a point;
thence South 45 degrees 00 minutes 00 seconds East, a distance of 166.74 feet to a point;
thence South 18 degrees 41 minutes 32 seconds East, a distance of 335.58 feet to a point;
thence North 71 degrees 18 minutes 28 seconds East, a distance of 2.50 feet to the principal point of beginning.

EXHIBIT B

Reservations in favor of the State of Florida contained in Deed Book 35, page 45 as modified by Releases filed in Official Records Book 749, page 1871 and in Official Records Book 749, page 1868, Public Records of Martin County, Florida.

Reservations in favor of the State of Florida contained in Deed Book 32, page 423, as modified by Releases recorded in Official Records Book 749, page 1865 and in Official Records Book 749, page 1862, Public Records of Martin County, Florida.

Easement granted to American Telephone and Telegraph Company recorded in Official Records Book 686, Page 2103, Public Records of Martin County, Florida, as shown on survey dated December 1, 1990 under job no. 407-34-01.

Resolution regarding Zoning recorded in Official Records Book 666, page 250, Public Records of Martin County.

Ordinance Number 283 recorded in Official Records Book 666, page 267, Public Records of Martin County, Florida.

Resolution regarding Development Order for The Treasure Coast Square Mall, recorded in Official Records Book 666, page 254, as amended in Official Records Book 673, page 2044, in Official Records Book 680, page 842, and in Official Records Book 781, page 1886, Public Records of Martin County, Florida.

Planned Unit Development (Commercial) Zoning Agreement recorded in Official Records Book 666, page 271, as amended in Official Records Book 673, page 2046, in Official Records Book 680, page 861, in Official Records Book 704, page 314, in Official Records Book 781, page 1897 and in Official Records Book 985, page 2376, Public Records of Martin County, Florida.

Wastewater Treatment Facility Reimbursement Agreement recorded in Official Records Book 673, page 2049, as amended in Official Records Book 773, page 2455, Public Records of Martin County, Florida.

Interlocal Agreement recorded in Official Records Book 687, page 1536, Public Records of Martin County, Florida.

Interlocal Agreement recorded in Official Records Book 687, page 1527, Public Records of Martin County, Florida.

Agreement to Pay Fair Share Contribution recorded in Official Records Book 687, page 1541, Public Records of Martin County, Florida.

Easement granted to Southern Bell Telephone and Telegraph Company recorded in Official Records Book 712, Page 2264, Public Records of Martin County, Florida, as shown on survey dated December 1, 1990 under job no. 407-34-01.

Easement granted to Florida Power & Light Company recorded in Official Records Book 735, page 318, as partially released in Official Records Book 974, page 1463, Public Records of Martin County, Florida, as shown on survey dated December 1, 1990 under job no. 407-34-01.

Resolutions regarding Final Development Plan Approval recorded in Official Records Book 680, page 857, and in Official Records Book 781, page 1884, Public Records of Martin County, Florida.

Matters as shown on Plat of PLAT No. 1 TREASURE COAST SQUARE, recorded in Plat Book 10, page 100, Public Records of Martin County, Florida.

Amendment to Agreement for the Provision of Additional Water Production recorded in Official Records Book 756, page 1232, Public Records of Martin County, Florida.

Declaration of Water Easement recorded in Official Records Book 778, page 835, Public Records of Martin County, Florida.

Declaration of Master Utility Easement recorded in Official Records Book 778, page 860, Public Records of Martin County, Florida.

Provisions of Treasure Coast Square Easement and Operating Agreement recorded in Official Records Book 811, page 2187, as assigned in Official Records Book 892, page 2027 and amended and restated in Official Records Book 1156, page 504, Public Records of Martin County, Florida.

Provisions of the Declaration of Covenants and Restrictions for Treasure Coast Square recorded in Official Records Book 745, page 1370, Public Records of Martin County, Florida.

Utility Easement granted to Stuart Square Peripheral Association recorded in Official Records Book 787, Page 1248, Public Records of Martin County, Florida.

Certificate of Public Facilities Reservation recorded in Official Records Book 985, page 2400, Public Records of Martin County, Florida.

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